

Receipt date: 06/17/2005

10522360 - GAU: 3742  
JC02 Rec'd PCT/PTO 17 JUN 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PAUL SMITH ET AL.

Group Art Unit: Unknown

Examiner: Unknown

Serial No.: 10/522,360

Filed: January 26, 2005

For: APPARATUS FOR FORMING A HEAD ON A BEVERAGE

Attorney Docket No.: UDL0169PUSA

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
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Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and §§ 1.97-1.98, the references listed and identified on the attached Forms PTO/SB08A and/or SB08B are being submitted herewith for consideration by the Examiner. This Statement is being filed in accordance with 37 C.F.R. § 1.97(b).

While this Statement is being filed in compliance with the duty of disclosure, citation of the listed references is not to be construed as an admission that any of the references are "material" as defined under 37 C.F.R. § 1.56(b).

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

June 15, 2005  
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James A. Kushman  
Name of Person Signing

*James A. Kushman*  
Signature

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.A./

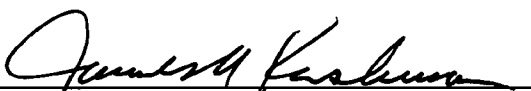
S/N: 10/522,360

Atty Dkt No. UDL0169PUSA

No copies of the listed U.S. patent references or the listed U.S. patent application publication references have been included herewith pursuant to 37 C.F.R. § 1.98(a)(2). Consideration and entry into the record of the listed references is respectfully requested.

Respectfully submitted,

**PAUL SMITH ET AL.**

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